

## **Exhibit 55**

**From:** [Lesser, Danielle](#)  
**To:** [ben zhavi](#)  
**Cc:** [Moldovan, Joseph T.](#); [Y. David Scharf](#); [Tamoff, Jerome](#)  
**Subject:** Re: - 1 page(s), bith din sumens  
**Date:** Thursday, August 07, 2014 2:32:27 PM

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As I have said to you many times. You may not contact me directly. You can communicate through your counsel.

Danielle C. Lesser  
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On Aug 7, 2014, at 2:30 PM, "ben zhavi" <[dabgrouppllc@yahoo.com](mailto:dabgrouppllc@yahoo.com)> wrote:

can you give to David if you see him  
as you know he break the agreement by June 2014



#### Fax Message [Caller-ID: 1-718-975-5109]

You have received a 1 page fax at 2014-08-07 17:53:02 GMT.  
\* The reference number for this fax is chd\_did1-1407433941-12122140402-93.

View this fax using your PDF reader.

Please visit [www.efax.com/en/online\\_fax\\_FAQ](http://www.efax.com/en/online_fax_FAQ) if you have any questions regarding this message or your service.

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**From:** Lesser, Danielle  
**Sent:** Wednesday, September 18, 2013 12:47 PM  
**To:** 'fwooffice@aol.com'  
**Cc:** Y. David Scharf; Dockwell, Brett D.; 'Steve Goldman'  
**Subject:** FW: Voice Mail from ZAHAVIAN,ZVI BE (47 seconds)  
**Attachments:** 919172147566 (47 seconds) Voice Mail.wav

Bill, I urge you to ask your client NOT to reach out to anyone on our side anymore. This last call contains a veiled threat and we will pursue our rights if this continues. Please confirm that you've spoken with your client about this.

Thank you,

Danielle

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**From:** Microsoft Outlook **On Behalf Of** ZAHAVIAN,ZVI BE (No email address available)  
**Sent:** Wednesday, September 18, 2013 12:33 AM  
**To:** Y. David Scharf  
**Subject:** Voice Mail from ZAHAVIAN,ZVI BE (47 seconds)

**Voice Mail Preview:**

Justin David this man so so what I wanna we shoe shop salon can't seem to work to you know the from any another someone pink okay.

You'll we went to the business and I told him not to send it cup see you -- Nadia coming in you send out P which is no problem is so cool see you on both -- I don't understand you don't wanna give men extension after so close -- this is that I just went fine so whatever you want renewal that see you bye -- go to the bid being -- after 10 on what's going on -- okay so how they got P on 12 when you from an E8 really make sure able to limit so if not I can send you one kosho phone books and if you need.

Thank you mr. they need bye bye.

Created by Microsoft Speech Technology. [Learn More...](#)

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**You received a voice mail from ZAHAVIAN,ZVI BE at 919172147566**

Caller-Id: 919172147566

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**From:** Lesser, Danielle  
**Sent:** Tuesday, September 17, 2013 12:57 PM  
**To:** 'fwooffice@aol.com'  
**Cc:** Y. David Scharf; Dockwell, Brett D.; 'Steve Goldman'  
**Subject:** FW: Settlement meeting with you  
**Attachments:** 82613 Justice Ramos transcript.pdf; ATT00001.htm; Justice Ramos' order 82613.pdf; ATT00002.htm; 77-79 Rivington TRO ZLDA.pdf; ATT00003.htm

Bill, please see below. Anything that you can do to end these communications would be most appreciated. These communications do not advance settlement in any way. We have asked our client not to respond to Mr. Zhavian's communications.

Thank you.

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**From:** ben zhavi [<mailto:dabgroupplc@yahoo.com>]  
**Sent:** Tuesday, September 17, 2013 11:26 AM  
**To:** Peggy Ficano  
**Subject:** Fw: Settlement meeting with you

Dear Mr. Bernard,

I would like to update you. According to Justice Ramos, per the attached transcript, he keeps telling us to settle this litigation.

We have met with the mediator and held a teleconference. Stillman Development, our investors, have come to agreement your side.

We have a problem and need your help to move forward. From what I understand, your firm has given our investors a firm price until 10/22. The agreement between us and our investors expired on 8/7 and they are looking for an extension for an additional 45 days, with the condition that we deliver the adjacent properties 77-79 Rivington St. free & clear, without the TRO litigation, and without the ZLDA litigation.

As you know, last time your firm had to sue 81-83 Rivington to compel them to sign the BSA extension. At this point, I don't think we can deliver 77-79 Rivington in the next 45 days.

I still think that after several voice mails that I left you since my last email to you, which asked for a meeting...I hope we can meet this time I am in NYC and review the issues so we can make the deal.

I see that your firm is appealing the order of 8/26. I think we should try to settle it ourselves rather than spending money and time.

We are required to update the mediator on 9/26.

Please advise me when we can meet.

Sincerely,

Ben Zhavian